

CIVIL ACTION COVER SHEET		Trial Court of Massachusetts SUPERIOR COURT DEPARTMENT <i>Middlesex</i> Division		 DOCKET NUMBER 90-7883	
PLAINTIFF(S) Kambrah DaSuta			DEFENDANT(S) Howard J. Silverman		
ATTORNEY(S) FIRM NAME, ADDRESS AND TEL.) Geoffrey D. Wyler 150 Federal St., Boston 02110 338-5850 Board of Bar Overseers # (Required)			ATTORNEY(S) (if known) <div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED <small>IN THE COURT OF THE</small> CLERK OF THE COURTS <small>FOR THE JUDICIAL DEPARTMENT</small> NOV 19 1990 <small>CLERK</small> </div>		
ORIGIN CODE AND TRACK DESIGNATION					
Place an <input checked="" type="checkbox"/> in one box only:					
<input checked="" type="checkbox"/> 1. F01 Original Complaint <input type="checkbox"/> 2. F02 Removal to Sup. Ct. c231, s. 104 (F) <input type="checkbox"/> 3. F03 Retransfer to Sup. Ct. c231, s. 102C (X)			<input type="checkbox"/> 4. F04 District Ct. Appeal c231, s. 97 (X) <input type="checkbox"/> 5. F05 Reactivated after Rescript; Relief from judgment/order (Mass. R Civ. P. 60 (X) <input type="checkbox"/> 6. E10 Summary process appeal (X)		
TYPE OF ACTION AND TRACK DESIGNATION (See Reverse Side)					
CODE NO. A99	TYPE OF ACTION (specify) <u>Contract - Sale or lease of</u> <u>personal property</u>	TRACK (F)	IS THIS A JURY CASE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
1. PLEASE GIVE A CONCISE STATEMENT OF THE FACTS: (Required in ALL Types of Actions) Fraudulent sale of stock with loss, including 93A in excess of \$50,000.					
2. IN A CONTRACT ACTION (CODE A) OR A TORT ACTION (CODE B) STATE, WITH PARTICULARITY, MONEY DAMAGES WHICH WOULD WARRANT A REASONABLE LIKELIHOOD THAT RECOVERY WOULD EXCEED \$25,000:					
3. PLEASE IDENTIFY, BY CASE NUMBER, NAME AND DIVISION, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT.					
SIGNATURE OF ATTORNEY OF RECORD OR PLAINTIFF				DATE	

OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

DISPOSITION

A. Judgment Entered

- ☐ 1. Before jury trial or non-jury hearing
- ☐ 2. During jury trial or non-jury hearing
- ☐ 3. After jury verdict
- ☐ 4. After court finding
- ☐ 5. After post trial motion

B. No Judgment Entered

- ☐ 6. Transferred to District Court under G.L. c.231, s.102C.

Disposition Date _____

RECEIVED

BY:
DATE

DISPOSITION ENTERED

BY:
DATE

Affidavit of Lorraine Potts

I, Lorraine Potts, hereby state as follows:

1. I worked for Repro and then Shepel, both entities owned by Howard Silverman.
2. Crossing Howard Silverman is a risky thing to do. I was witness to a threat that Howard Silverman had made against a fellow physician.
3. In approximately 1990, I was aware of a strong disagreement between Howard Silverman and Dr. Delli-Bovi. I was present when Howard Silverman said that he was going to kill Dr. Delli-Bovi.

Signed under penalties of perjury this 13th day of October, 1992.


Lorraine Potts

Affidavit of Glenda Barkin

1. I, Glenda Barkin, hereby state as follows:

2. I own 39% of the shares in WomanCare Management, and Howard Silverman has the balance. I worked for WomanCare from the mid-1980's until 1992. I was also employed by Repro Associates, another medical entity owned by Howard Silverman.

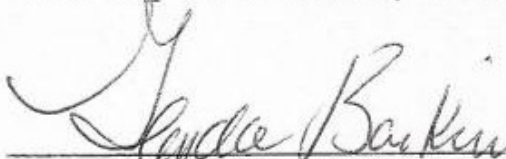
3. I have been informed that Dr. Silverman sought to remove Geoffrey. *x by personally attacking* D. Wyler, counsel to Keambrah DaSuta in this litigation. *M.V.* This does not surprise me because Dr. Silverman has a history of personally attacking those that disagree with him.

4. For example, in 1990-1991, demonstrators were protesting his abortion clinic in Hyannis. Howard Silverman told me that while driving a motor vehicle he was being followed by a demonstrator; that he pulled into a parking lot in the Hyannis Mall; that the demonstrator pulled into the mall behind Howard Silverman; that Howard Silverman placed the vehicle he was driving into reverse and backed into the demonstrator's car; and that Howard Silverman then went to the police station and reported that he had been rear-ended by the demonstrator.

5. In approximately 1990, a physician working for Howard Silverman had a serious disagreement with him. Howard Silverman told me, in a tone of voice that positively frightened me, that he was going to kill Dr. Delli-Bovi and her children.

6. I understand that the question of whether Howard Silverman folded corporations is an issue in this case. It was common knowledge that Howard Silverman had folded corporations. In addition, I was witness to Howard Silverman's folding a PMS practice he bought with the result that there was an unpaid balance, and I was present when he discussed the fact that he had folded Patriot Aviation Corporation leaving creditors at bay.

Signed under penalties of perjury this 13th day of October, 1992.


Glenda Barkin